

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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**TOM WINTERS,**

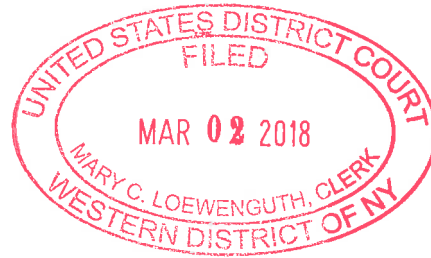
*Plaintiff,*

-vs-

**CASELLA WASTE SYSTEM, INC., individually and in its Capacity as Fiduciary and Plan Administrator of the CASELLA WASTE SYSTEM, INC. EMPLOYEE BENEFIT PLAN, CASELLA WASTE MANAGEMENT OF N.Y., INC., CHARLES E. SCHIMMEL, SR., SCHIMMEL & SONS BUILDING & MAINTENANCE, CHARLES E. SCHIMMEL, JR., JACOB F. SCHIMMEL, AND SCHIMMEL & SONS BUILDING & MAINTENANCE,**

*Defendants.*

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**VOLUNTARY STIPULATION  
OF DISMISSAL**

Civil No. 6:14-cv-06435-FPG-JWF

**IT IS HEREBY STIPULATED AND AGREED** by and between counsel for defendants Casella Waste Systems, Inc. (sued herein as Casella Waste System, Inc.), individually and its capacity as fiduciary and plan administrator of the Casella Waste Systems, Inc. Employee Benefit Plan, and Casella Waste Management of N.Y., Inc. (collectively, the "Casella Defendants"), and Charles E. Schimmel, Sr., individually and doing business as Schimmel & Sons Building & Maintenance, and Charles E. Schimmel Jr. (collectively, the "Schimmel Defendants"), that all cross-claims among the Casella Defendants and Schimmel Defendants are hereby voluntarily dismissed, pursuant to the Federal Rules of Civil Procedure Rules 41(a)(1)(A)(ii) and 41(c)(2).

Dated: March 1, 2018

**KAVINOKY COOK LLP**

By: s/ David G. Brock, Esq.  
David G. Brock, Esq.

*Attorneys for Casella Defendants*  
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Buffalo, NY 14210

Dated: March 1, 2018

**BARCLAY DAMON LLP**

By: s/ Mark T. Whitford, Jr.  
Mark T. Whitford Jr., Esq.

*Attorneys for Schimmel Defendants*  
Office and Post Office Address  
100 Chestnut Street, Suite 2000  
Rochester, New York 14604-2404

SO ORDERED THIS 1<sup>st</sup> DAY OF March 2018

  
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HON. FRANK P. GERACI, JR.  
Chief U.S. District Judge